

City of Miami



RON E. WILLIAMS
Administrator

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FEDERAL COMMUNICATIONS COMMISSION
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August 3, 1992

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FCC MAIL BRANCH

Ms. Donna R. Searcy, Secretary
Federal Communication Commission
1919 M. Street N.W. Room 222
Washington, D.C. 20554

Dear Ms. Searcy:

Re: Billed Party Preference Docket No. 92-77

This letter is to serve as our official comments as well as concerns for the recent proposed bill on billed party preference. While we can appreciate the FCC's desire to improve the public pay phone services, billed party preference is not a viable move for the following reasons:

- A. Many users who prefer to use a specific long-distance carrier have a long-distance calling card that enables the user to charge directly to his/her home or office. Therefore, it is not necessary to change the current service since it can be addressed by existing requirements.
- B. The billed party preference proposal in many cases will eliminate the opportunity for state, county, and city government agencies to collect commissions on 0+ calls. The impact placed on municipalities from visitors, tourists, and business people for many years have been carried by the local municipal government. The commission received from 0+ calls eases the burden felt by municipalities from users visiting or those who heavily rely upon public telephone service provided by the municipalities.
- C. Since the proper mechanism is currently in place to assure access to the preferred long-distance carrier by the Telephone Operator Consumer Service Improvement Act of 1990, we feel that the current proposal is a duplication of said Act. The current proposal could possibly cost millions of dollars to implement throughout this country; therefore, we take the position that it is unreasonable and an expensive solution to a problem already addressed in the aforementioned legislation.
- D. Consumer interest is always at heart in governmental agencies and many arrangements have been made to place public

telephones in many of the disadvantaged communities in order to provide public telephone service. Therefore, we question if the current proposal is really for the consumer interest or is it something that has not been fully thought out?

- E. It must be understood that many of the public telephones currently in place have been forecasted to receive a certain amount of commission that would capitalize the initial investment. The initial investment included: construction costs, permit, license, installation, etc. The adoption of the proposed billed party preference legislation will force many public telephone owners to remove many of their units because they will become nonproductive since the commission previously received will no longer be available.
- F. For the past three years, there has been a considerable number of changes made by the FCC that affected the public telephone users at large. The proposed change could possible make matters even more confusing to the end users. Therefore, this proposal would also require a comprehensive public education process in order to complete the conversion.
- G. Suggestions/Alternatives:
 - 1. Perhaps the FCC should look at evaluating public telephone vendors who have exclusive long-distance service and do not provide access for calling cards. Although the Consumer Service Act of 1990 requires compliance, nothing has been done at the state or federal level to ensure that every vendor adheres to the requirements.
 - 2. Many public telephone vendors are able to charge from 25 to 75 cents for a local call. The FCC should consider placing a maximum cap in terms of what is charged to the user for local calls. In our opinion, the ability to charge what one desires should not be a decision of the equipment vendor, but of the FCC.
 - 3. The FCC should come out with stringent specifications that should apply to all public telephone vendors. The specification should outline the following, at minimum:
 - a. American disability requirements.
 - b. Volume adjustments for the hearing impaired.
 - c. Length of time a public telephone can remain out of order.
 - d. Fines for abandoned units disconnected and left in building over a certain period of time.

Ms. Donna R. Searcy
Federal Communication Commission

Page 3

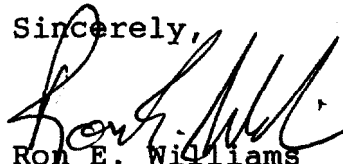
August 3, 1992

These are some of the actual problems that many organizations are trying to control, but to no avail. Given that the FCC decides to address these problems, local public telephone vendors will be required to reevaluate their current practices and adjust. This, in our opinion, is something that warrants the attention of the FCC, not billed preference calling.

We appreciate the FCC making provision for replies concerning the billed preference proposal and hope that the FCC will reconsider its current position and review the aforementioned suggestions.

The City of Miami is interested in speaking out against the referenced proposal and would like to be updated as frequently as possible. We would also like to request a response to this correspondence at your earliest convenience. Should you desire any further clarifications to this correspondence, please contact Mr. Kelvin Baker at (305)575-5130.

Sincerely,



Ron E. Williams
Administrator

cc: Diane Avillo, AT&T
Express Mail Service